

VIA FEDEX LETTER

December 23, 2003

Document Management System
U.S. Department of Transportation
Room PL-401
400 Seventh Street, SW
Washington, DC 20590-0001

RE: Extended Operations of Multi-Engine Airplanes (ETOPS)
Notice of Proposed Rulemaking
Docket No. FAA-2002-6717
Notice No. 03-11
68 Fed. Reg. 64730 (November 14, 2003)

Dear Sir or Madame:

FedEx Express ("FedEx"), an all-cargo air carrier certificated pursuant to Part 119 of the Federal Aviation Regulations (FARs), respectfully requests an extension of time, not less than 90 days, to the comment period contained in the Notice of Proposed Rulemaking ("NPRM") concerning new and expanded regulatory rules for 3 and 4 engine aircraft operating on extended operations. (Docket No. FAA-2002-6717). In addition, FedEx believes that the public comment period should remain open for a sufficient time for FedEx to comment on the Draft Regulatory Impact Statement, the OMB Recommendations to FAA/DOT, and yet-unpublished guidance materials in the form of Draft Advisory Circulars.

The NPRM, as currently drafted, would require immediate compliance with current and expanded ETOPS requirements for 3 and 4 engine aircraft operating on existing routes with more than a 90-minute diversion time, and operations on Polar routes. Currently, FedEx operates such routes with 3 engine aircraft (MD-11 and DC-10), and thus has no ETOPS operations of any kind. The immediate imposition of these requirements on FedEx of a full ETOPS program (affecting flight operations, aircraft maintenance, and training, among other things), would be financially-damaging at best, and likely would preclude FedEx from operating ETOPS routes for some time to come. This would not only be financially-damaging to FedEx, but also to the worldwide customers of FedEx. .

The NPRM is lengthy, complex, and leaves a number of issues unaddressed or unanswered. Our preliminary review of the NPRM and its impact on FedEx should be supplemented by thoughtful analysis and supporting data. However, the existing comment deadline does not allow FedEx sufficient time to complete these necessary activities, nor does it allow FedEx the opportunity to review proposed Advisory Circulars. Therefore, FedEx urges the FAA to extend the comment period and respectfully requests that it act upon this request expeditiously and as soon as possible.

If there are questions or concerns, please do not hesitate to contact me.

Sincerely,

Bruce B. Cheever
Vice President
Flight Operations

Attachments